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Attorneys for Plaintiff  
HEWLETT-PACKARD COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS  
ANTITRUST LITIGATION

MDL Docket No. 3:10-md-02143-RS-JCS

This document relates to:

Case No. 3:13-cv-05370-RS

Hewlett-Packard Company,  
Plaintiff,

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING HEARING DATE  
FOR MOTION TO DISMISS FIRST  
AMENDED COMPLAINT**

v.

Toshiba Corporation, et al.,

Hon. Richard Seeborg

Defendants.

[Civil L.R. 6-2]

**STIPULATION**

WHEREAS on May 8, 2014, Plaintiff Hewlett-Packard Company (“HP”) filed a First Amended Complaint [Doc. No. 26] against, among others, the undersigned Defendants (collectively, “Defendants”); and

WHEREAS on June 23, 2014, Defendants filed a joint Motion to Dismiss the Fifth and Sixth Causes of Action of HP’s First Amended Complaint (the “Motion to Dismiss”) [Doc. No. 32], and set a hearing on the Motion to Dismiss for September 18, 2014 (the “Hearing”); and

WHEREAS on June 24, 2014, the Court continued the Hearing to September 25, 2014 [Doc. No. 33]; and

WHEREAS on August 18, 2014, the Court continued the Hearing to November 6, 2014; and

WHEREAS counsel for Plaintiff HP is unavailable on November 6, 2014; and

WHEREAS Plaintiff HP and Defendants have conferred and agreed to continue the Hearing to November 20, 2014;

NOW, THEREFORE, Plaintiff HP and Defendants, through their respective counsel, hereby stipulate, agree, and respectfully request that the Court issue an order that:

The Hearing on Defendants’ Motion to Dismiss shall be reset for November 20, 2014 at 1:30 p.m.

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1 IT IS SO STIPULATED.

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3 Dated: August 28, 2014

CROWELL & MORING LLP

4 By: /S/ Daniel A. Sasse

5 Beatrice B. Nguyen  
6 Daniel A. Sasse  
7 Matthew J. McBurney  
8 Nathaniel J. Wood  
9 Angela J. Yu

Attorneys for Plaintiff  
Hewlett-Packard Company

10 Dated: August 28, 2014

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20 Storage Technology Corporation, Toshiba America  
21 Information Systems, Inc., and Toshiba Corporation

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Attorneys for Defendant NEC Corporation

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**FILER ATTESTATION**

Pursuant to Rule 5-1(i)(3) of the Local Rules of Practice in Civil Proceedings Before the  
United States District Court for the Northern District of California, I, Daniel A. Sasse, hereby  
attest that concurrence in the filing of this document has been obtained from each of the other  
signatories.

Dated: August 28, 2014

CROWELL & MORING LLP

By: /S/ Daniel A. Sasse

Daniel A. Sasse

Attorneys for Plaintiff  
Hewlett-Packard Company

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 8/28/14



Honorable Richard Seeborg  
United States District Judge